

AO 199A (Rev. 12/11) Order Setting Conditions of Release

FILED

1:14-MJ-113PAS

2014 JUN -9 A 10:27  
UNITED STATES DISTRICT COURT  
District of New Hampshire  
U.S. DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

APR 16 2013

FILED

UNITED STATES OF AMERICA

v.

Kurt Sanborn

Defendant

ORDER SETTING CONDITIONS  
OF RELEASE

Case Number: B-CR-28-01-SM

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- ☒ 1. The defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.
- ☒ 2. The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- ☒ 3. The defendant shall immediately advise the court, defense counsel, and the U.S. Attorney in writing before any change in address and telephone number.
- ☒ 4. The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed or as directed.
- ☐ 5. The defendant shall appear at U.S. District Court, 55 Pleasant St., Concord, NH on \_\_\_\_\_ at \_\_\_\_\_ for \_\_\_\_\_ and when and where as ordered by the Court.
- ☐ 6. The defendant shall sign an Appearance Bond, if ordered.

AO 199B (Rev. 12/11) Additional Conditions of Release

USDCNH-40 (8/12)

## Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ☐ 7. The defendant is placed in the custody of (address to be redacted from electronic version of document entered on CM/ECF):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Tel: \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_  
 Custodian or Proxy

- ☒ 8. The defendant shall:

- ☒ (a) report on a regular basis as directed by the supervising officer.  
☒ (b) maintain or actively seek employment.  
☒ (c) refrain from possessing a firearm, destructive device, or other dangerous weapons.  
☒ (d) surrender any firearm(s) to Clerk, U.S. District Court, 55 Pleasant St., Concord, NH.  
☒ (e) surrender any passport to Clerk, U.S. District Court, 55 Pleasant St., Concord, NH.  
☒ (f) obtain no passport.  
☐ (g) submit to any method of testing required by the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.  
☐ (h) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is (are) required as a condition(s) of release.  
☐ (i) meaningfully participate in and complete a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the supervising officer.  
☐ (j) be detained until he/she can be released directly into an inpatient treatment facility. Further hearing to be held upon the completion of the program or upon the failure to meaningfully participate in and complete the program.  
☒ (k) restrict travel to the State(s) of New Hampshire, ~~MA~~, ~~CT~~, ~~RI~~, ~~MA~~ + ~~NY~~. Any other travel must be pre-approved by the supervising officer.  
☐ (l) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: \_\_\_\_\_  
☐ (m) have no unsupervised contact with any minor children.  
☒ (n) refrain from ~~any~~ [ ] excessive use of alcohol.  
☐ (o) participate in the following home confinement program components and abide by all the requirements of the program:  
☐ (1) Curfew: You are restricted to your residence every day [ ] from \_\_\_\_\_ to \_\_\_\_\_, or [ ] as directed by the supervising officer, or

AO 199C (Rev. 09/08) Advice of Penalties and Sanctions

USDCNH-40 (8/12)

**Advice of Penalties and Sanctions****TO THE DEFENDANT:****YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:**

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a federal offense while on pre-trial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony, or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment or a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to 10 years of imprisonment and a \$250,000 fine or both to tamper with a witness, victim, or informant; to retaliate or attempt to retaliate against a witness, victim, or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

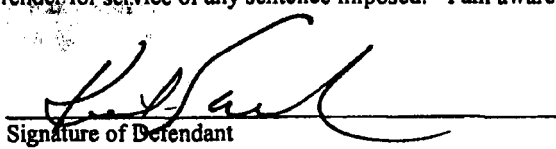
If after release you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) on offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Date: 4/16/2013Signature of Defendant **Directions to United States Marshal**

- ☐ The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judge at the time and place specified, if still in custody.
- ☒ The defendant is ORDERED released after processing.

Date: 4-16-13
☒ United States Magistrate Judge  
☐ United States District Judge

cc: Defendant  
 U.S. Attorney  
 U.S. Marshal  
 U.S. Probation  
 Defense Counsel



## East Greenwich Police Department

## Arrest Report

Page: 1  
06/05/2014Arrest #: 14-152-AR  
Call #: 14-11529  
Incident #: 14-516-OF

Date/Time Reported: 06/04/2014 @ 1753  
 Arrest Date/Time: 06/04/2014 @ 1825  
 Booking Date/Time: 06/04/2014 @ 1846  
 Involves: Domestic Violence  
 Court: 3rd Division District Court  
 Court Date: 06/05/2014 @ 1500  
 Reporting Officer: Detective KERRIE MAZUR  
 Assisting Officer: PATROL OFFICER DAVID DEL BONIS  
 Booking Officer: PATROL OFFICER CHRISTOPHER CALLAN



Signature: \_\_\_\_\_

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	SANBORN, KURT DAVID 45 BIRCH ST Apt. #2 ATTLEBORO MA 02703	M	W	47	025-52-9211	401-500-0303

Military Active Duty: N

HEIGHT: 510 - 511

WEIGHT: 215 - 225

HAIR: BROWN

EYES: BLUE

BODY: HEAVY

COMPLEXION: FAIR

DOB: 04/23/1967

PLACE OF BIRTH: MASSACHUSETTS

STATE ID: 10260411

FBI ID: 574596PD

LICENSE NUMBER: RI 3415555

ETHNICITY: NOT HISPANIC

## [CONTACT INFORMATION]

Home Phone	(Primary)	401-500-0303
Cell Phone	(Primary)	401-500-0303

## [APPEARANCE]

GENERAL APPEARANCE: ORDERLY

GLASSES WORN: NO

## [FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: DIVORCED

EMPLOYER/SCHOOL: THE WORKSHOP  
 3760 QUAKER LN  
 NORTH KINGSTOWN RI 02852

OCCUPATION: SELF

## East Greenwich Police Department

## Arrest Report

Page: 2

06/05/2014

Arrest #: 14-152-AR  
 Call #: 14-11529  
 Incident #: 14-516-OF

#	DEPENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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## [RIGHTS/BOOKING CHECKS]

PHONE USED: N  
 ARRESTEE SECURED: Y 06/04/2014 1941  
 ARRESTEE CELL #: M-1

FINGERPRINTED: Y  
 PHOTOGRAPHED: Y  
 VIDEO: YES  
 SUICIDE CHECK: Performed  
 PERSONS: State&Federal  
 NCIC VEHICLE CHECK: Performed  
 INJURY OR ILLNESS: N

#	OFFENSE(S)	ATTEMPTED	TYPE
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LOCATION TYPE: Residence/Home/Apt./Condo Zone: DIV/MIDDLE/SHIPPETWN  
 66 SPRING VALLEY DR  
 EAST GREENWICH RI 02818

1	VIOLATION OF A DISTRICT COURT PROTECTION ORDER 8-8.1-3 8-8.1 3 OCCURRED: 06/04/2014 1753 SUSPECTED OF USING: Alcohol	N	Misdemeanor
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2	DOMESTIC STALKING 11-59-2/AF 11-59 2/12-29-5 OCCURRED: 06/04/2014 1700 SUSPECTED OF USING: Alcohol	N	Felony
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#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1	WHARTON, MARY C 66 SPRING VALLEY DR EAST GREENWICH RI 02818 DOB: 06/21/1968 EMPLOYER: NEW ENGLAND INST OF TECH . 401-203-9994 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2 RELATION TO: SANBORN KURT CONTACT INFORMATION: Home Phone (Primary) 401-398-0929 Work Phone (Primary) 401-203-9994	F	W	45	381-64-9284	401-398-0929
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Boy/Girl Friend

#	OTHER PROPERTIES	PROPERTY #	STATUS
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1	VERIZON DROID MAXI PHONE (401)500-0303 QUANTITY: 1 SERIAL #: IMEI: 990004964453983 DATE: 06/05/2014 OWNER: SANBORN, KURT DAVID	14-183-PR VALUE: \$10.00	Seized (Not Previously Stolen)
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**East Greenwich Police Department  
Arrest Report****Page: 3  
06/05/2014****Arrest #: 14-152-AR  
Call #: 14-11529  
Incident #: 14-516-OF**

#	OTHER PROPERTIES	PROPERTY #	STATUS
2	AT & T ALCATEL CELL PHONE - MOD #0T871AG QUANTITY: 1 SERIAL #: HTVE53AP6MW18J6 DATE: 06/05/2014 OWNER: SANBORN, KURI DAVID	14-184-PR VALUE: \$10.00	Seized (Not Previously Stolen)

**East Greenwich Police Department****Page: 1****NARRATIVE FOR DETECTIVE KERRIE L MAZUR****Ref: 14-152-AR**Entered: 06/05/2014 @ 0003  
Modified: 06/05/2014 @ 1212Entry ID: 146  
Modified ID: 146

On 4 June 2014 at 1730hrs., I, Detective Mazur got a phone call from Cathy Wharton who advised me that as she had pulled into her office parking lot at 1050 Main St., she believed she had observed Kurt Sanborn's vehicle in the lot. Wharton has an active restraining order against Kurt Sanborn who is her ex-boyfriend. She severed all relationship ties with Sanborn 21 November 2013 after an alleged suicide attempt. She made it very clear to him that he was not welcome in her home and that their romantic relationship was over.

On 29 May 2014 Sanborn was served by Attleboro, Massachusetts police with a restraining order from Wharton. Captain Macdonald called me and informed me that Sanborn had contacted the police himself and said he had heard that there was a restraining order that needed to be served to him. Sanborn responded to Attleboro police headquarters and was successfully served.

I observed Sanborn's vehicle, RI PC 578-293 on a gray Ford Edge, without any occupants, parked on the east side of the 1050 Main building. A check on the plate confirmed it to be Sanborn's vehicle. Wharton informed me by phone that she was leaving her office. I was parked with two other undercover officers across the street in sight of the vehicle and the building. As Wharton's white mini Cooper exited the parking lot, turning south onto Main St., Sanborn was seen quickly descending the stairs which led from Wharton's office. Photographs were obtained of him ducking as he came to the bottom of the stairs, sneaking to his vehicle then driving hurriedly in the same direction as Wharton.

Wharton had proceeded up Cedar Ave. towards Middle Road. We were positioned on Cedar Ave. and were able to observe Sanborn exit the parking lot then continue up Cedar, with his cell phone in his hand, following Wharton. We proceeded to follow Sanborn. I contacted Sgt. Chirside and advised him of the events. He told Lt. Siple who dispatched a marked vehicle to our location.

We followed Sanborn as he turned right onto Wharton's road, Spring Valley. He suddenly stopped on the side of the road, one house short of Wharton's. We continued past him. He quickly turned around and exited the street, heading west on Middle Road. We continued to follow him and advised dispatch of our location into North Kingstown and then into Exeter. Sanborn abruptly turned right onto South Road and then right again into Reynolds Memorial Field. We exited our vehicle and advised Sanborn we were police officers, asking him to exit his vehicle with his hands in clear view. Officer Delbonis arrived to assist us in the arrest. Officer Delbonis placed Sanborn into the back of his cruiser in handcuffs at 1825hrs. He was advised that he was being arrested for Violation of a No Contact Order against Mary Catherine Wharton.

RISP Trooper Brisson and Trooper Montminy arrived to assist.

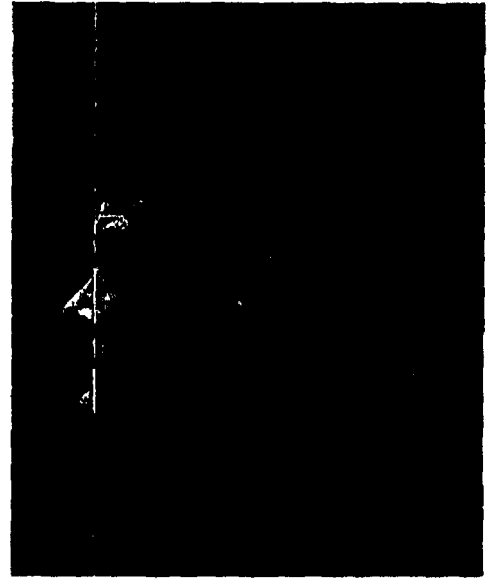
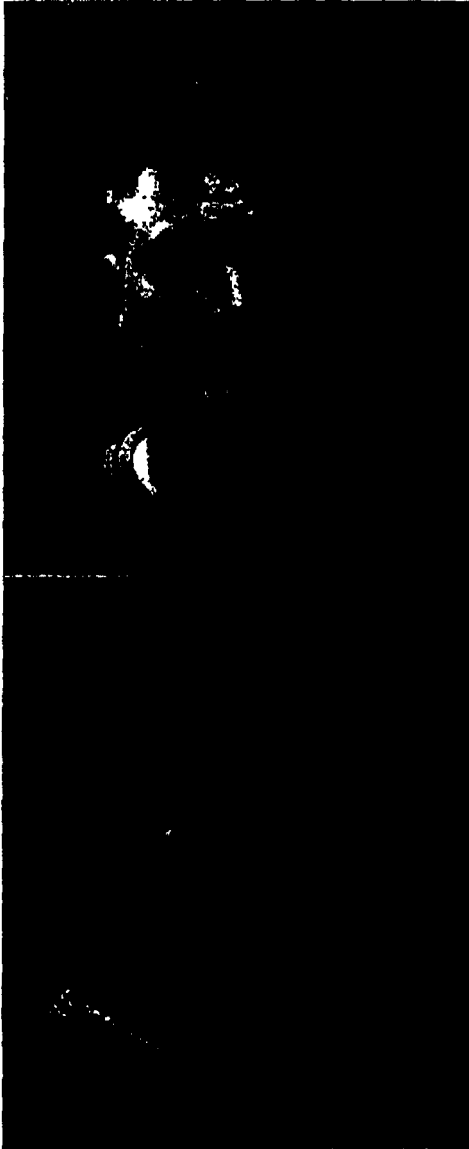
Sanborn gave verbal to search his vehicle and two cellular phones found in the front passenger compartment. Later at the station, Sanborn gave written consent to search his Droid phone and his Alcatel phone. Officer Delbonis transported Sanborn back to headquarters where he was photographed, fingerprinted and placed in cell M1. He was allowed to make a phone call. He attempted to call his lawyer.

Sanborn stated he was eating at Ritrovo restaurant near Wharton's office and that he was going to visit his former friend, Tom on Spring Valley drive to say hello when he realized it was a bad idea and turned around. Wharton later stated Sanborn has no relationships with any of the neighbors on her street.

I attempted to contact Gina Affsa, Sanborn's federal probation officer at 1800hrs. A message was left.

Detective Mazur

**East Greenwich Police Department -  
Images Associated with 14-152-AR**





# **East Greenwich Police Department Suicide Evaluation Form**

Name: **SANBORN, KURT DAVID**  
 Address: **45 BIRCH ST**  
**ATTLEBORO, MA. 02703**  
 SSN: **025-52-9211**

ARR #: **14-152-AR**  
 Date:

DOB: **04/23/1967**

## **Observation:**

Sad	Unemployed	Terminally Ill
Tired	Age 26-32	Giving Away Property
Confused	* No Spouse	Intoxicated/Alcohol
Crying	* Prior Arrests	Intoxicated/Drugs
Irritable	Wringing Hands	Former Police Officer
Pacing	Protective Custody	Unrealistic Comments
Silent	Poor Eye Contact	Recent Major Surgery

Staple Watcht our Tape

Total # of Items Checked 2 Multiplied By 1 Equals 2

## **Questions:**

Are You Ill	* Used Alcohol Today
Are You Hearing Voices	Used Drugs Today
Any Recent Family Deaths	* Seeking Psychiatric Care
* Threatened Suicide Before	Attempted Suicide Before
Refused To Answer Questions	

Total # of Items Checked 3 Multiplied By 2 Equals 6

## **Others:**

State Shows Past Threat                      State Shows Past Attempt

Do You Feel Like Killing Yourself Now

If Yes, Does Prisoner Have A Suitable Plan

Total # of Items Checked 0 Multiplied By 15 Equals 0

## **Evaluation:**

(0-7 Points)	Low Risk	Total Points <u>8</u>
** (8-12 Points)	Medium Risk	
(13-20 Points)	High Risk	
( > 20 Points)	Very High Risk	

## **Transfer To Other Agencies:**

Accepting Agency Advised Of Past Threat/Attempt:    Yes    No

Accepting Agency: \_\_\_\_\_

Signature of Accepting Officer: \_\_\_\_\_

Signature of Releasing Officer: \_\_\_\_\_

**EAST GREENWICH POLICE DEPARTMENT**

176 First Avenue  
 East Greenwich, Rhode Island, 02818  
 Tel# 401-884-2244 Fax# 401-886-8653  
 Detective Division Tel# 401-886-8630

**Consent to Search**

Digital Media

Time 1910hrs.Date 6/4/14Place EGPD

I, Kurt David Sardon, have been informed of my right not to have a search of my computer and/or cellular telephone described below without a search warrant and of my right to refuse to consent to a search do authorize Warwick Police / K. Mazur of the East Greenwich Police Department to conduct a complete search of my computer and/or cellular telephone described

as: Venon - Droid serial# ph# 401-500-0303  
Alcatel ATT serial# HTJ53AP6 MUW8J6 ph# unknown  
model# OT871AG software version 987YF70

(Make sure to note the Make, Model, Serial # Phone #, brief description)

User Name: none

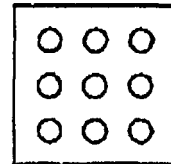
Cell Phone

Cell Phone

Password: none

Unlock Code

Unlock Pattern



I give my consent to this search knowing that if any incriminating evidence is found it can be used against me in a court.

In addition to the above named Police Officer(s) I also give my consent to any member of the RI State Police Computer Crimes Division or the Warwick / Coventry Police Department to conduct an off-site forensic examine to include any and all digital evidence stored on the equipment described above.

I give this written permission to the Police Officer(s) names above voluntarily and without threats or promises of any kind.

Witness Detective Kerrie Mazur

[Signature]  
 Signature

## DEPARTMENT OF POLICE

EAST GREENWICH, RHODE ISLAND 02818

HEADQUARTERS  
TOWN HOUSE

TELEPHONE: 884-2244 886-8639 886-8640

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A POLICE OFFICER.PERMISSION TO SEARCH

I (we) Kurt D Sanborn have been informed by Detective Kevin Mangus known to me as an authorized law enforcement officer of the Town of East Greenwich, Rhode Island of my CONSTITUTIONAL RIGHT not to have a search made of the premises and property owned by me and/or under my care, custody and control without a search warrant.

With full knowledge of my lawful right to refuse to consent to such a search, I willingly give my permission to all and any law enforcement officers of the above named Town of East Greenwich, to conduct, at their discretion, but only in accordance with the terms of that certain document entitled "PERMISSION TO ACT AS AGENT" which I have signed contemporaneously herewith, a complete search of the premises and property, including all buildings and vehicles, both inside and outside of the property located and known as Ford Edge Rt 576293.

The above said officer(s) further have my permission to take from my premises and property, any items, including, but not limited to, any alcoholic beverages or materials suspected by the said officer(s) to be controlled substances, or any other property or things which they desire as evidence for purposes of potential criminal prosecution. and 1 Driv Cell Phone and 1 Alcatel Phone

This written permission to search without a search warrant is given by me to members of the East Greenwich Police Department voluntarily and without any threats or promises of any kind on this 5th day of JUNE, 2014.

Signed [Signature]Date 6/4/14

This consent is acknowledged by

Detective Kevin Mangus  
Person left in chargeWitness [Signature]

Witness \_\_\_\_\_



# East Greenwich Police Department Incident Report

Page: 1  
05/27/2014

Incident #: 14-516-OF  
Call #: 14-10236

Date/Time Reported: 05/19/2014 1435  
Report Date/Time: 05/19/2014 1502  
Status: Incident Open

Reporting Officer: PATROL OFFICER CHRISTOPHER RAFFERTY  
Approving Officer: Lieutenant ROBERT SIPLE

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
1	SANBORN, KURT DAVID 45 BIRCH ST ATTLEBORO MA 02703	M	W	47	025-52-9211	401-500-0303

Military Active Duty: N

BODY: NOT AVAIL.

DOB: 04/23/1967

LICENSE NUMBER: RI 3415555

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: NOT HISPANIC

## [CONTACT INFORMATION]

Home Phone (Primary) 401-500-0303

#	OFFENSE(S)	ATTEMPTED	TYPE
	LOCATION TYPE: Residence/Home/Apt./Condo 66 SPRING VALLEY DR EAST GREENWICH RI 02818		Zone: DIV/MIDDLE/SHIPPETWN
1	WILLFUL TRESPASS 11-44-26	N	Misdemeanor
	OCCURRED: 05/19/2014 1435		

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	WHARTON, MARY C 66 SPRING VALLEY DR EAST GREENWICH RI 02818 DOB: 06/21/1968 EMPLOYER: NEW ENGLAND INST OF TECH CONTACT INFORMATION: Home Phone (Primary) 401-398-0929 Work Phone (Primary) 401-203-9994	REPORTING PARTY	F	W	45	381-64-9284	401-398-0929
2	WHARTON, KELLY N 66 SPRING VALLEY DR EAST GREENWICH RI 02818 DOB: 09/02/1992 EMPLOYER: URI CONTACT INFORMATION: Home Phone (Primary) 401-398-0929 CallBack Number 401-714-1586	WITNESS	F	W	21	636-32-6728	401-714-1586

Saco, Gr. - Swich Police Department

Page: 2

## Incident Report

05/27/2014

Incident #: 14-516-OF

Call #: 14-10236

## Attachments for 14-516-OF

## Description

STATEMENT FROM WHARTON

Attachment#: 751409BDF67D4B0690F1CF0742D1A836

Type

PDF

East Greenwich Police Department

Page: 1

SUPPLEMENTAL NARRATIVE FOR PATROL OFFICER CHRISTOPHER J. RAFF

Ref: 14-516-OF

Entered: 05/20/2014 @ 1055

Entry ID: 124

Modified: 05/23/2014 @ 1950

Modified ID: 154

Approved: 05/23/2014 @ 1950

Approval ID: 154

On 5/20/14 I spoke to Kurt Sanborn on the phone and he was very upset about the fact that Mary would come in and file this kind of report against her. He believed that Mary's daughter Kelly was behind all of this and told me that he has threats from Kelly that she would convince her mom into filing this report if he continued a relationship with Mary. Kurt was going to speak to a lawyer about civil action against them for this and was advised by myself not to go to the property and if he needed to go there and get personal items to arrange a time with us so we could go and keep the peace. He also wanted to document that both Mary and Kelly have been texting him and that they allowed him into the home and asked him to stay at the house while the locks were changed.

Ptlm. Chris Rafferty

East Greenwich Police Department

Page: 1

SUPPLEMENTAL NARRATIVE FOR PATROL OFFICER PATRICK J. COY

Ref: 14-516-OF

Entered: 05/23/2014 @ 1634	Entry ID: 166
Modified: 05/23/2014 @ 1740	Modified ID: 166
Approved: 05/23/2014 @ 1951	Approval ID: 154

Cathy Wharton responded to EGPD to have documented that her ex-boyfriend, Kurt, again was in her driveway this morning 5-23-14 at 0900 hrs. Kurt was issued a No Trespass Order on her property earlier this week by Ptm. Rafferty. Cathy just wished we document regarding Kurt arriving at her residence today. I advised her in the future to call us immediately if he arrives at her residence again. I also advised Cathy to consider changing her locks and obtaining a restraining order.



STATE OF RHODE ISLAND  
DISTRICT COURT

D.A. FILE NO. 14-30A-0123

DOMESTIC ASSAULT  
AFFIDAVIT

I, Mary Catherine Wharton wish to file a restraining order against Kurt David Sanborn because he admitted to breaking & entering through Dog Door & changing my locks while I was at work. He has violated a no-trespassing order 2X (~~see police reports~~). He continues to harass with texts, e-mails & voice mails. He has been cyber-stalking me, hacking all private messages & responding to people directly.

When 1 person sent me their phone #, Kurt called them saying we were married, had children (<sup>never married + no children together</sup>) & shouldn't be involved with me. He has made some small & infrequent deposits into my bank acct due to owing me \$ from his prison term but then put a hold on my acct claiming he never authorized. He has made homicidal threats in the past & has threatened to show me to take away my home, my professional license & my livelihood. I am in fear for my physical safety, my financial safety & the safety of my children.

He has sent people to show up at my workplace to try to convince me to return to him. I find him in my driveway & around my neighborhood even though I live in EG & he lives in Attleboro MA. He has lied about my many things jeopardizing my credit, bills & safety.

SIGNATURE M. C. Wharton

Subscribed and sworn to before me in Wauwilat in the  
County of Rent in the State of Rhode Island and Providence Plantations,  
this 29 day of May 2014

Notary Public/Clerk

No. 3436 (rev. 10/01)

Jun. 5. 2014 12:57 PM



05-29-14 14:03 FROM-

-281 P0002/0004 F-615

STATE OF RHODE ISLAND



AND PROVIDENCE PLANTATIONS

# DISTRICT COURT

## TEMPORARY ORDER PROTECTION FROM ABUSE

DIVISION OF COURT <b>3rd</b>		ADDRESS OF COURT <b>222 Quaker Ln. Warwick, RI 02886</b>	D.A. FILE NO. <b>14-3DA-0123</b>
PLAINTIFF <b>Mary Catherine Wharton 6/21/68</b>		PLAINTIFF'S ATTORNEY	
DEFENDANT <b>VS</b>		ADDRESS OF PLAINTIFF OR PLAINTIFF'S ATTORNEY	
<b>Kent David Sanborn 4/23/67</b>		<b>66 Spring Valley Dr., East Greenwich, RI 02818</b>	
		DEFENDANT'S ADDRESS <b>45 Birch St #2, Attleboro, MA 02703</b>	

PURSUANT TO CHAPTER 8-8.1 OR CHAPTER 11-37.2 OF THE GENERAL LAWS OF RHODE ISLAND, and upon consideration of plaintiff's complaint, (and having found that immediate and irreparable injury, loss, or damage will result to the plaintiff before a notice can be served and a hearing had thereon) it is ORDERED:

☒ That the defendant is restrained and enjoined from contacting, assaulting, molesting, or otherwise interfering with plaintiff at home, on the street, or elsewhere.

☒ That the defendant vacate forthwith and remain out of the household located at \_\_\_\_\_

\_\_\_\_ That \_\_\_\_\_

This ORDER is effective forthwith, and will remain in effect until **June 19, 2014**

A hearing on the continuation of this ORDER will be held at the District Court, **Kent**

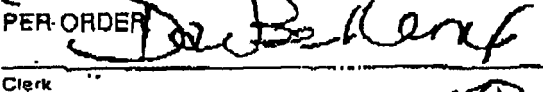
County, **3RD** Division, at **9 (A.M.)** (P.M.) on **6-19-14**

If the defendant wishes to be heard, (he/she) will be heard at that time. If (he/she) does not appear at that time, this ORDER shall remain in effect.

A copy of this ORDER shall be transmitted to a Law Officer (a sheriff or constable duly authorized to serve process for the District Court) and shall be served on the defendant herein.

ENTERED as an Order of Court this **22** day of **June**, 20 **14**

ENTER:   
Judge

PER ORDER:   
Clerk

Presented by: \_\_\_\_\_

Attorney for Plaintiff

A PERSON WHO VIOLATES THIS ORDER MAY BE GUILTY OF A MISDEMEANOR AND MAY BE PUNISHED BY A FINE OF AS MUCH AS \$1,000.00 AND/OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE (1) YEAR, AND MAY BE ORDERED TO ATTEND COUNSELING. IF THE VICTIM WANTS THIS ORDER TO CONTINUE BEYOND THE EXPIRATION DATE, THE VICTIM MUST APPLY FOR A RENEWAL OF THE ORDER BEFORE THE EXPIRATION DATE.

SERVED  
05/29/14  
3:20PM  
ATTLEBORO POLICE  
CAPT.  
MAE DOWD

**ATTLEBORO POLICE DEPARTMENT**

12 Union St., Attleboro, MA 02703 (508) 222-1212 Fax (508) 223-2210

**Fax**

To: E. GREENWICH P.D. From: CAPT. JIM MACDONALD  
 Fax: \_\_\_\_\_ Pages: 2  
 Phone: \_\_\_\_\_ Date: 05/29/14  
 Re: \_\_\_\_\_ CC

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **NOTICE OF CONFIDENTIALITY:** The documents accompanying this facsimile contain information from the Attleboro Police Department which may be confidential and / or privileged. The information is intended for use by the individual or entity named on the transmittal sheet. If you are not the intended recipient, be aware that disclosure, copying, distribution, or use of the contents of this transmission is prohibited. If you have received this facsimile in error, please notify the Attleboro Police Department by telephone immediately.

If you encounter problems receiving this transmittal, please contact the sender.

THIS ORDER WAS SERVED ON KURT DAVID  
 OT 3:20PM TODAY BY ME. SANBORN.

CAPTAIN JAMES MACDONALD

774-203-1919

Sheet report

(508)  
 223-  
 2224

**ATTLEBORO POLICE DEPARTMENT**

12 Union St., Attleboro, MA 02703 (508) 222-1212 Fax (508) 221-2210

**Fax**

To: DET. KERIE MAZUR From: CAPT. TIM MACDONALD  
Fax: \_\_\_\_\_ Pages: 4  
Phone: \_\_\_\_\_ Date: 06/05/14  
Re: \_\_\_\_\_ CC: \_\_\_\_\_

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **NOTICE OF CONFIDENTIALITY:** The documents accompanying this facsimile contain information from the Attleboro Police Department which may be confidential and / or privileged. The information is intended for use by the individual or entity named on the transmittal sheet. If you are not the intended recipient, be aware that disclosure, copying, distribution, or use of the contents of this transmission is prohibited. If you have received this facsimile in error, please notify the Attleboro Police Department by telephone immediately.

If you encounter problems receiving this transmittal, please contact the sender.



**Kyle P. Peauger**  
Chief Of Police

## **Attleboro Police Department**

**12 Union Street**

**Attleboro, Massachusetts 02703**

**Telephone: (508) 223-2224 Fax: (508) 223-2210**

**attleboropolice.org**

June 5, 2014

Detective Kerie Mazur  
East Greenwich Police Dept.  
East Greenwich, RI

Detective Mazur, this is to advise you that Kurt David Sanborn, DOB 04/23/1967, of 45 Birch Street, #2, Attleboro, MA was served with a Temporary Order of Protection From Abuse, issued by the District Court of Kent County, Rhode Island (14-3DA-0123).

Sanborn was served in hand by me at approximately 3:20PM on Thursday, May 29, 2014.

If you have any further questions, please feel free to contact me.

  
Captain James G. MacDonald  
Operations Division Commander

*Semper Vigilo Paratus et Fidelis*

Page 1 of 2



## 08/05/2014 THU 12:35 PM [TX/RX NO 5678] 0020

06/05/2014 09:09

518773221

ATTLEBORO POLICE

PAGE 04/04,

Main Form

Page 2 of 2

Note Type	Entered By	User ID
CALL-TKR	05/29/2014 15:22:14	esm
Narrative Description		
RO WAS SERVED BY CAPT MACDONALD		

## Dispositions

Dispositions				
Type	Disposition	Incident Report?	Accident Report?	Due By
POLICE	(300) SERVICE RENDERE			MACDONALD, J

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

RECEIVED  
U.S. MARSHAL  
CONCORD, NH

United States of America

v.

Case No. 13-cr-28-014 SMN 5 PM 3 12

Kurt Sanborn

**WARRANT FOR ARREST**

TO: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Kurt Sanborn and bring him forthwith to the nearest magistrate judge to answer a Petition charging him with

Violation of Condition of Bail. *See* Petition attached.

ISSUED BY:

DATE: June 5, 2014

*Judith A. Barrett*  
Judith A. Barrett  
Deputy Clerk



RETURN		
This warrant was received and executed with the arrest of the above-named defendant at		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		



## UNITED STATES PROBATION &amp; PRETRIAL SERVICES

District of New Hampshire

## MEMORANDUM

2014 JUN 11 10:17 AM  
 RECEIVED

DATE June 5, 2014

TO: Honorable Daniel J. Lynch  
 U.S. Magistrate Judge

FROM: Sean Buckley  
 U.S. Probation Officer

RE: Kurt Sanborn (13-CR-28-01-SM)

2014 JUN -5 P 2:50  
 RECEIVED  
 U.S. DISTRICT COURT  
 DISTRICT OF NH

Report of Bail Violation- Warrant RecommendedRelease Status

On April 16, 2013, the defendant was released on conditions by this Court (see attached Bail conditions) for pending charges of Wire Fraud, Mail Fraud, and Bank Fraud. The defendant pled guilty to these charges on May 9, 2014 and sentencing is set for August 27, 2014. Since his release on bail, the defendant has been supervised on a courtesy basis in the District of Massachusetts given that he resides there. It should also be noted that Sanborn is also under post-conviction supervised release in that District based on a prior conviction in this Court for Wire Fraud on November 19, 2009. He was sentenced to a 36-month period of imprisonment and was released to supervision on March 1, 2012. No violations have been previously filed.

Details of Violation

**Condition 1:** The defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.

On this date, this officer was informed by U.S. Pretrial Services Officer Gina Affsa that Sanborn was arrested in the District of Rhode Island on charges of Violation of Protection Order (Misdemeanor) and Domestic Stalking (Felony). According to the East Greenwich (RI) Detective, Sanborn is accused of stalking his former girlfriend, Mary Wharton. The police report alleges that, on May 19, 2013, Mary Wharton, reported to law enforcement that Sanborn continuously came to her home unexpectedly and had entered her home without permission. Ms. Wharton further stated that the defendant recently had the locks at her residence changed by a locksmith without her permission. On May 23, 2014, Wharton informed police that she observed the defendant in her driveway that morning which prompted her to obtain a restraining order on May 29, 2014, which was served on the defendant that same day.

According to the detective, the defendant is also alleged to have entered Wharton's home through a remote animal access door; accessed her cell phone so that he could see her texts, calls,

2.7



Honorable Daniel J. Lynch

RE: Kurt Sanborn (13-CR-28-01-SM)

June 5, 2014

Page 2

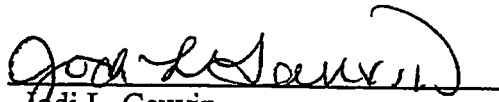
etc; had a friend impersonate a federal officer and approach the victim; and, he also accessed her bank account, which caused her account to be frozen. Lastly, the detective advised that, on June 4, 2014, Sanborn was observed outside of Wharton's place of work, and later that same day, traveling in a vehicle on Spring Valley Road where Wharton resides.

Recommendation:

Based on the fact that Sanborn is convicted and pending sentencing and the fact that he was arrested in another district for two serious offenses, this officer requests that warrant be issued so that he may be brought before the Court to show cause why his bail should not be revoked due to his being in violation of Standard Condition #1 – the defendant shall not violate any state, local, or federal law. It is further recommended that the warrant be sealed at Level II pending arrest.

Reviewed by:

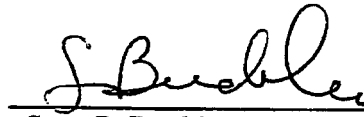
Respectfully submitted:



Jodi L. Gauvin

Supervising U.S. Probation Officer

Date: June 5, 2014



Sean P. Buckley

U.S. Probation Officer

Date: June 5, 2014

\*\*\*\*\*

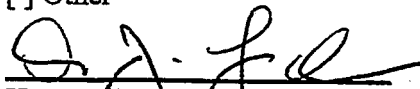
THE COURT ORDERS

☐ No Action

☒ The Issuance of a Warrant / Matter Sealed Pending Arrest

☐ The Issuance of a Summons

☐ Other



Honorable Daniel J. Lynch

U.S. District Judge